



Att'y Dkt. No.: 966928.00002
U.S. App. No.: 10/018,576

1752
Ehw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SAKAI et al.

Appl. No.: 10/018,576

Filing Date: December 20, 2001

Title: Positive Electrode Active Material for
Secondary Battery and Manufacturing Method
Thereof and Nonaqueous Electrolytic Solution
Secondary Battery Therewith, and Recovered
Electronic Functional Material and Reproduction
Method of Electronic Functional Material

Art Unit: 1752

Examiner: LE, Hoa Van

Atty. Docket: 966928.00002

BEST AVAILABLE COPY

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:


Transmitted herewith for appropriate action are the following documents:

1. Response to Restriction Requirement;
2. Copy of Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
3. Copy of return postcard receipt;
4. Copy of stub for Check No. 12327; and
5. Return postcard.

It is believed that no fees, other than those accounted for above, are required for this filing. However, the Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622.

Respectfully submitted,

REED SMITH, LLP

By: 
Mark R. Shanks
Reg. No. 33,781

Date: 6/28/04
1301 K Street, N.W.
Suite 1100 – East Tower
Washington, DC 20005

BEST AVAILABLE COPY



\$1,592) and no further balance should be required. We attach copies of the following documents to support our claim:

1. Copy of Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371 (highlighted);
2. Copy of the returned postcard receipt; and
3. Copy of stub for Check No. 12327.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 50-0622.

Respectfully submitted,

REED SMITH, LLP

Mark R Shanks

By: Mark R. Shanks

Reg. No. 33,781

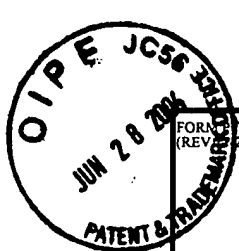
Date: 6/28/04

1301 K Street, N.W.
Suite 1100 – East Tower
Washington, D.C. 20005
(202) 414-9200

32256

PATENT TRADEMARK OFFICE

TEXT AVAILABLE ON

FORM PCT/IS90 (Modified)
(REV. 2000)

U.S. DEPAR.

T OF COMMERCE PATENT AND TRADEMARK OFFICE

A RNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371****0277-0002**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

To Be DeterminedINTERNATIONAL APPLICATION NO.
PCT/JP00/04007INTERNATIONAL FILING DATE
20-June-2000PRIORITY DATE CLAIMED
21-June-1999; 13-August-1999**TITLE OF INVENTION****Positive Electrode Active Material for Secondary Battery and Manufacturing Method Thereof and Nonaqueous Electrolytic Solution Secondary Battery Therewith, and Recovered Electronic Functional Material and Reproduc****APPLICANT(S) FOR DO/EO/US****SAKAI, et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

1) Publication of International Application, Publ. No. WO00/79621; 2) PCT Request; 3) PCT Demand; 4) Notification of Change of Address; 5) Copy of Official Filing Receipt; 6) Form PCT/IB/301; 7) Form PCT/IB/304; 8) Form PCT/IB/308; 9) Form PCT/IB/332; 10) Form PCT/IPEA/402; 11) Written Opinion; 12) Reply to Written Opinion; 13) Amendment Under Article 34 and English translation of amendments; 14) postcard.

BEST AVAILABLE

BEST AVAILABLE COPY

U.S. APPLICATION NO. (IF KNOWN, SE. CFR) To Be Determined		INTERNATIONAL APPLICATION NO. PCT/JP00/04007		ATTORNEY'S DEPOSIT NUMBER 0277-0002	
---	--	--	--	---	--

24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00					
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$890.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	31 - 20 =	11	x \$18.00	\$198.00	
Independent claims	9 - 3 =	6	x \$84.00	\$504.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,592.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$0.00	
SUBTOTAL =				\$1,592.00	
Processing fee of \$130.00 for furnishing the English translation later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
TOTAL NATIONAL FEE =				\$1,592.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$1,592.00	
				Amount to be: refunded	\$
				charged	\$

a. ☒ A check in the amount of **\$1,592.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-0622** A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

SHANKS & HERBERT
 TransPotomac Plaza
 1033 N. Fairfax Street, Suite 306
 Alexandria, Virginia 22314
 (703) 683-3600
 (703) 683-9875 (facsimile)

Mark R. Shanks

SIGNATURE

Mark R. Shanks

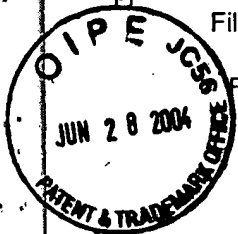
NAME

33,781

REGISTRATION NUMBER

12/19/01

DATE



Applicant: SAKAI, et al.
App. Serial No: To Be Assigned
Filed: Herewith

Docket No.: 0277-0002
By: Mark R. Shanks
Shanks & Herbert

For: Positive Electrode Active Material for
Secondary Battery and
Manufacturing Method Thereof and
Nonaqueous Electrolytic Solution
Secondary Battery Therewith, and
Recovered Electronic Functional
Material and Reproduction Method of
Electronic Functional Material

BEST AVAILABLE COPY

10/018576

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following:

1. Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
2. Published International Application, Publication No. WO00/79621 and English translation;
3. International Search Report;
4. International Preliminary Examination Report;
5. PCT Request;
6. PCT Demand;
7. Amendment Under Article 34, with English translation of Amendments;
8. Notification of Change of Address;
9. Copy of Official Filing Receipt;
10. Form PCT/IB/301; Form PCT/IB/304; Form PCT/IB/308; Form PCT/IB/332; Form PCT/IPEA/402;
11. Written Opinion

JC14 Rec'd PCT/PTO 20 DEC 2001

12. Reply to Written Opinion;
13. Check in the amount of \$1,592 (filing fee); and
14. Two (2) return postcards.

10/018576

JC14 Rec'd PCT/PTO 20 DEC 2001

BEST AVAILABLE COPY

SHANKS & HERBERT
USPTO

12/20/2001

12327

1,592.00

Century Natl Bank Checki For Filing Fee 0277-0002

1,592.00



ST AVAILABLE COPY